

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
49112(a)	(unmodified).	Oct. 18, 1986, Pub. L. 99-500, title VI, §6011, 100 Stat. 1783-385; Oct. 9, 1996, Pub. L. 104-264, title IX, §904(c)(2), 110 Stat. 3276. Oct. 30, 1986, Pub. L. 99-591, title VI, §6011, 100 Stat. 3341-388; Oct. 9, 1996, Pub. L. 104-264, title IX, §904(c)(2), 110 Stat. 3276.
49112(b)(1) ..	(unmodified).	Oct. 18, 1986, Pub. L. 99-500, title VI, §6014, as added Oct. 9, 1996, Pub. L. 104-264, title IX, §907, 110 Stat. 3277. Oct. 30, 1986, Pub. L. 99-591, title VI, §6014, as added Oct. 9, 1996, Pub. L. 104-264, title IX, §907, 110 Stat. 3277.
49112(b)(2) ..	(unmodified).	Oct. 9, 1996, Pub. L. 104-264, title IX, §904(d), 110 Stat. 3276.

In subsection (a), the word “thereby” is omitted as surplus.

In subsection (b)(1), the words “the limitations described in” are omitted as unnecessary.

REFERENCES IN TEXT

The Metropolitan Washington Airports Amendments Act of 1996, referred to in subsec. (b)(1), is title IX of Pub. L. 104-264, Oct. 9, 1996, 110 Stat. 3274, which amended the Metropolitan Washington Airports Act of 1986, title VI of Pub. L. 99-500, Oct. 18, 1986, 100 Stat. 1783-373, and title VI of Pub. L. 99-591, Oct. 30, 1986, 100 Stat. 3341-376, as amended. The Metropolitan Washington Airports Act of 1986 was classified generally to subchapter III (§2451 et seq.) of chapter 33 of former Title 49, Transportation, and was repealed and reenacted as this chapter by Pub. L. 105-102, §§2(26), 5(b), Nov. 20, 1997, 111 Stat. 2205, 2217.

Section 6007(f)(4) of the Metropolitan Washington Airports Act of 1986, referred to in subsec. (b)(2), is section 6007(f)(4) of Pub. L. 99-500, title VI, Oct. 18, 1986, 100 Stat. 1783-379, and Pub. L. 99-591, title VI, Oct. 30, 1986, 100 Stat. 3341-382, which related to a Board of Review and was classified to section 2456(f)(4) of former Title 49, Transportation. Subsec. (f) of section 6007 was repealed and subsec. (g) redesignated (f) by Pub. L. 104-264, title IX, §904(a), Oct. 9, 1996, 110 Stat. 3276. Section 6007 was subsequently repealed and reenacted as section 49106 of Title 49, Transportation, by Pub. L. 105-102, §§2(26), 5(b), Nov. 20, 1997, 111 Stat. 2205, 2217, and does not contain provisions relating to a Board of Review.

PART E—MISCELLANEOUS

AMENDMENTS

1996—Pub. L. 104-287, §5(88)(A), Oct. 11, 1996, 110 Stat. 3398, redesignated part D of this subtitle as this part.

CHAPTER 501—BUY-AMERICAN PREFERENCES

Sec.	
50101.	Buying goods produced in the United States.
50102.	Restricting contract awards because of discrimination against United States goods or services.
50103.	Contract preference for domestic firms.
50104.	Restriction on airport projects using products or services of foreign countries denying fair market opportunities.
50105.	Fraudulent use of “Made in America” label.

AMENDMENTS

1996—Pub. L. 104-287, §5(88)(B), (C), Oct. 11, 1996, 110 Stat. 3398, redesignated chapter 491 of this title as this chapter and items 49101 to 49105 as 50101 to 50105, respectively.

§ 50101. Buying goods produced in the United States

(a) PREFERENCE.—The Secretary of Transportation may obligate an amount that may be appropriated to carry out section 106(k), 44502(a)(2), or 44509, subchapter I of chapter 471 (except section 47127), or chapter 481 (except sections 48102(e), 48106, 48107, and 48110) of this title for a project only if steel and manufactured goods used in the project are produced in the United States.

(b) WAIVER.—The Secretary may waive subsection (a) of this section if the Secretary finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) the steel and goods produced in the United States are not produced in a sufficient and reasonably available amount or are not of a satisfactory quality;

(3) when procuring a facility or equipment under section 44502(a)(2) or 44509, subchapter I of chapter 471 (except section 47127), or chapter 481 (except sections 48102(e), 48106, 48107, and 48110) of this title—

(A) the cost of components and subcomponents produced in the United States is more than 60 percent of the cost of all components of the facility or equipment; and

(B) final assembly of the facility or equipment has occurred in the United States; or

(4) including domestic material will increase the cost of the overall project by more than 25 percent.

(c) LABOR COSTS.—In this section, labor costs involved in final assembly are not included in calculating the cost of components.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1298, §49101; renumbered §50101 and amended Pub. L. 104-287, §5(88)(D), (89), Oct. 11, 1996, 110 Stat. 3398.)

HISTORICAL AND REVISION NOTES
PUB. L. 103-272

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
49101(a)	49 App.:2226a(a).	Nov. 5, 1990, Pub. L. 101-508, §9129, 104 Stat. 1388-371.
49101(b)	49 App.:2226a(b).	
49101(c)	49 App.:2226a(c).	

In this chapter, the word “goods” is substituted for “product” and “products” for consistency.

In subsection (a), the words “Notwithstanding any other provision of law” are omitted as surplus. The words “after November 5, 1990” are omitted as obsolete.

In subsection (b), before clause (1), the words “The Secretary may waive” are substituted for “shall not apply” for consistency. In clause (2), the words “steel and goods” are substituted for “materials and products” for consistency. In clause (4), the word “contract” is omitted as surplus.

PUB. L. 104-287, §5(89)

This makes a clarifying amendment to 49:50101(a) and (b)(3), 50102, 50104(b)(1), and 50105, as redesignated by clause (88)(D) of this section, because 49:47106(d) was struck by section 108(1) of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103-305, 108 Stat. 1573).

AMENDMENTS

1996—Pub. L. 104-287, §5(88)(D), renumbered section 49101 of this title as this section.

Subsecs. (a), (b)(3). Pub. L. 104-287, § 5(89), substituted “section 47127” for “sections 47106(d) and 47127”.

USE OF DOMESTIC PRODUCTS

Pub. L. 103-305, title III, § 305, Aug. 23, 1994, 108 Stat. 1592, provided that:

“(a) PROHIBITION AGAINST FRAUDULENT USE OF ‘MADE IN AMERICA’ LABELS.—(1) A person shall not intentionally affix a label bearing the inscription of ‘Made in America’, or any inscription with that meaning, to any product sold in or shipped to the United States, if that product is not a domestic product.

“(2) A person who violates paragraph (1) shall not be eligible for any contract for a procurement carried out with amounts authorized under this title [enacting section 47509 of this title, amending sections 44505 and 48102 of this title, and enacting provisions set out as notes under this section and section 40101 of this title], including any subcontract under such a contract pursuant to the debarment, suspension, and ineligibility procedures in subpart 9.4 of chapter 1 of title 48, Code of Federal Regulations, or any successor procedures thereto.

“(b) COMPLIANCE WITH BUY AMERICAN ACT.—(1) Except as provided in paragraph (2), the head of each office within the Federal Aviation Administration that conducts procurements shall ensure that such procurements are conducted in compliance with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a through 10c [41 U.S.C. 10a—10b-1], popularly known as the ‘Buy American Act’).

“(2) This subsection shall apply only to procurements made for which—

“(A) amounts are authorized by this title to be made available; and

“(B) solicitations for bids are issued after the date of the enactment of this Act [Aug. 23, 1994].

“(3) The Secretary, before January 1, 1995, shall report to the Congress on procurements covered under this subsection of products that are not domestic products.

“(c) DEFINITIONS.—For the purposes of this section, the term ‘domestic product’ means a product—

“(1) that is manufactured or produced in the United States; and

“(2) at least 50 percent of the cost of the articles, materials, or supplies of which are mined, produced, or manufactured in the United States.”

Similar provisions were contained in the following prior authorization act: Pub. L. 102-581, title III, § 305, Oct. 31, 1992, 106 Stat. 4896.

PURCHASE OF AMERICAN MADE EQUIPMENT AND PRODUCTS

Pub. L. 103-305, title III, § 306, Aug. 23, 1994, 108 Stat. 1593, provided that:

“(a) SENSE OF CONGRESS.—It is the sense of Congress that any recipient of a grant under this title [enacting section 47509 of this title, amending sections 44505 and 48102 of this title, and enacting provisions set out as notes under this section and section 40101 of this title], or under any amendment made by this title, should purchase, when available and cost-effective, American made equipment and products when expending grant monies.

“(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In allocating grants under this title, or under any amendment made by this title, the Secretary shall provide to each recipient a notice describing the statement made in subsection (a) by the Congress.”

§ 50102. Restricting contract awards because of discrimination against United States goods or services

A person or enterprise domiciled or operating under the laws of a foreign country may not make a contract or subcontract under section 106(k), 44502(a)(2), or 44509, subchapter I of chap-

ter 471 (except section 47127), or chapter 481 (except sections 48102(e), 48106, 48107, and 48110) of this title or subtitle B of title IX of the Omnibus Budget Reconciliation Act of 1990 (Public Law 101-508, 104 Stat. 1388-353) if the government of that country unfairly maintains, in government procurement, a significant and persistent pattern of discrimination against United States goods or services that results in identifiable harm to United States businesses, that the President identifies under section 305(g)(1)(A) of the Trade Agreements Act of 1979 (19 U.S.C. 2515(g)(1)(A)).

(Pub. L. 103-272, § 1(e), July 5, 1994, 108 Stat. 1298, § 49102; renumbered § 50102 and amended Pub. L. 104-287, § 5(88)(D), (89), Oct. 11, 1996, 110 Stat. 3398.)

HISTORICAL AND REVISION NOTES PUB. L. 103-272

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
49102	49 App.:2226c.	Nov. 5, 1990, Pub. L. 101-508, § 9131, 104 Stat. 1388-372; Oct. 31, 1992, Pub. L. 102-581, § 118(b), 106 Stat. 4883.

The words “government of that country” are substituted for “that government” for consistency in the revised title and with other titles of the United States Code.

PUB. L. 104-287, § 5(89)

This makes a clarifying amendment to 49:50101(a) and (b)(3), 50102, 50104(b)(1), and 50105, as redesignated by clause (88)(D) of this section, because 49:47106(d) was struck by section 108(1) of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103-305, 108 Stat. 1573).

REFERENCES IN TEXT

Subtitle B of title IX of the Omnibus Budget Reconciliation Act of 1990, referred to in text, is subtitle B (§§ 9101-9131) of title IX of Pub. L. 101-508, Nov. 5, 1990, 104 Stat. 1388-353, as amended, known as the Aviation Safety and Capacity Expansion Act of 1990. Sections 9102 to 9105, 9107 to 9112(b), 9113 to 9115, 9118, 9121 to 9123, 9124 “Sec. 613(c)”, 9125, 9127, and 9129 to 9131 of title IX of Pub. L. 101-508 were repealed by Pub. L. 103-272, § 7(b), July 5, 1994, 108 Stat. 1379, the first section of which enacted subtitles II, III, and V to X of Title 49, Transportation. For complete classification of this Act to the Code, see Tables. For disposition of sections of former Title 49, see table at the beginning of Title 49.

AMENDMENTS

1996—Pub. L. 104-287, § 5(89), substituted “section 47127” for “sections 47106(d) and 47127”.

Pub. L. 104-287, § 5(88)(D), renumbered section 49102 of this title as this section.

§ 50103. Contract preference for domestic firms

(a) DEFINITIONS.—In this section—

(1) “domestic firm” means a business entity incorporated, and conducting business, in the United States.

(2) “foreign firm” means a business entity not described in clause (1) of this subsection.

(b) PREFERENCE.—Subject to subsections (c) and (d) of this section, the Administrator of the Federal Aviation Administration may make, with a domestic firm, a contract related to a grant made under section 44511, 44512, or 44513 of

this title that, under competitive procedures, would be made with a foreign firm, if—

(1) the Administrator decides, and the Secretary of Commerce and the United States Trade Representative concur, that the public interest requires making the contract with the domestic firm, considering United States international obligations and trade relations;

(2) the difference between the bids submitted by the foreign firm and the domestic firm is not more than 6 percent;

(3) the final product of the domestic firm will be assembled completely in the United States; and

(4) at least 51 percent of the final product of the domestic firm will be produced in the United States.

(c) NONAPPLICATION.—Subsection (b) of this section does not apply if—

(1) compelling national security considerations require that subsection (b) of this section not apply; or

(2) the Trade Representative decides that making the contract would violate the multilateral trade agreements (as defined in section 3501(4) of title 19) or an international agreement to which the United States is a party.

(d) APPLICATION TO CERTAIN GRANTS.—This section applies only to a contract related to a grant made under section 44511, 44512, or 44513 of this title for which—

(1) an amount is authorized by section 48102(a), (b), or (d) of this title to be made available for the fiscal years ending September 30, 1991, and September 30, 1992; and

(2) a solicitation for bid is issued after November 5, 1990.

(e) REPORT.—The Administrator shall submit a report to Congress on—

(1) contracts to which this section applies that are made with foreign firms in the fiscal years ending September 30, 1991, and September 30, 1992;

(2) the number of contracts that meet the requirements of subsection (b) of this section, but that the Trade Representative decides would violate the multilateral trade agreements (as defined in section 3501(4) of title 19) or an international agreement to which the United States is a party; and

(3) the number of contracts made under this section.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1298, §49103; renumbered §50103, Pub. L. 104–287, §5(88)(D), Oct. 11, 1996, 110 Stat. 3398; amended Pub. L. 106–36, title I, §1002(i), June 25, 1999, 113 Stat. 134.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
49103(a)	49 App.:2226d(e).	Nov. 5, 1990, Pub. L. 101–508, §9207, 104 Stat. 1388–375.
49103(b)	49 App.:2226d(a).	
49103(c)	49 App.:2226d(b).	
49103(d)	49 App.:2226d(c).	
49103(e)	49 App.:2226d(d).	

In subsection (a), the text of 49 App.:2226d(e)(1) is omitted because the complete name of the Administrator of the Federal Aviation Administration is used the first time the term appears in a section.

In subsection (b), before clause (1), the words “Subject to subsections (c) and (d) of this section” are added to alert the reader to the limitations in those subsections. In clause (1), the words “requires making the contract with the domestic firm” are substituted for “so requires” for clarity. The words “considering United States international obligations and trade relations” are substituted for “In determining under this subsection whether the public interest so requires, the Administrator shall take into account United States international obligations and trade relations” to eliminate unnecessary words. In clause (4), the words “when completely assembled” are omitted as surplus. The words “produced in the United States” are substituted for “domestically produced” for consistency with clause (3).

In subsection (c), the words “(1) such applicability would not be in the public interest” are omitted as redundant to subsection (b)(1) of the revised section.

In subsection (e)(1), the words “foreign firms” are substituted for “foreign entities” for consistency in the revised section.

Subsection (e)(3) is substituted for “the number of contracts covered under this subtitle (including the amendments made by this subtitle) and awarded based upon the parameters of this section” to eliminate unnecessary words.

AMENDMENTS

1999—Subsecs. (c)(2), (e)(2). Pub. L. 106–36 substituted “multilateral trade agreements (as defined in section 3501(4) of title 19)” for “General Agreement on Tariffs and Trade”.

1996—Pub. L. 104–287 renumbered section 49103 of this title as this section.

§50104. Restriction on airport projects using products or services of foreign countries denying fair market opportunities

(a) DEFINITION AND RULES FOR CONSTRUING SECTION.—In this section—

(1) “project” has the same meaning given that term in section 47102 of this title.

(2) each foreign instrumentality and each territory and possession of a foreign country administered separately for customs purposes is a separate foreign country.

(3) an article substantially produced or manufactured in a foreign country is a product of the country.

(4) a service provided by a person that is a national of a foreign country or that is controlled by a national of a foreign country is a service of the country.

(b) LIMITATION ON USE OF AVAILABLE AMOUNTS.—(1) An amount made available under subchapter I of chapter 471 of this title (except section 47127) may not be used for a project that uses a product or service of a foreign country during any period the country is on the list maintained by the United States Trade Representative under subsection (d)(1) of this section.

(2) Paragraph (1) of this subsection does not apply when the Secretary of Transportation decides that—

(A) applying paragraph (1) to the product, service, or project is not in the public interest;

(B) a product or service of the same class or type and of satisfactory quality is not produced or offered in the United States, or in a foreign country not listed under subsection (d)(1) of this section, in a sufficient and reasonably available amount; and

(C) the project cost will increase by more than 20 percent if the product or service is excluded.

(c) DECISIONS ON DENIAL OF FAIR MARKET OPPORTUNITIES.—Not later than 30 days after a report is submitted to Congress under section 181(b) of the Trade Act of 1974 (19 U.S.C. 2241(b)), the Trade Representative, for a construction project of more than \$500,000 for which the government of a foreign country supplies any part of the amount, shall decide whether the foreign country denies fair market opportunities for products and suppliers of the United States in procurement or for United States bidders. In making the decision, the Trade Representative shall consider information obtained in preparing the report and other information the Trade Representative considers relevant.

(d) LIST OF COUNTRIES DENYING FAIR MARKET OPPORTUNITIES.—(1) The Trade Representative shall maintain a list of each foreign country the Trade Representative finds under subsection (c) of this section is denying fair market opportunities. The country shall remain on the list until the Trade Representative decides the country provides fair market opportunities.

(2) The Trade Representative shall publish in the Federal Register—

(A) annually the list required under paragraph (1) of this subsection; and

(B) any modification of the list made before the next list is published.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1299, §49104; renumbered §50104 and amended Pub. L. 104-287, §5(88)(D), (89), Oct. 11, 1996, 110 Stat. 3398.)

HISTORICAL AND REVISION NOTES PUB. L. 103-272

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
49104(a)(1) .. 49104(a)(2)– (4).	(no source). 49 App.:2226(d).	Sept. 3, 1982, Pub. L. 97-248, 96 Stat. 324, §533; added Dec. 30, 1987, Pub. L. 100-223, §115, 101 Stat. 1505.
49104(b)	49 App.:2226(a).	
49104(c)	49 App.:2226(b).	
49104(d)	49 App.:2226(c).	

Subsection (a)(1) is added for clarity.

In subsection (b)(1), the words “subchapter I of chapter 471 of this title (except sections 47106(d) and 47127)” are substituted for “Act” in section 533(a)(1) of the Airport and Airway Development Act of 1982, as added by section 115 of the Airport and Airway Safety and Capacity Expansion Act of 1987 (Public Law 100-223, 101 Stat. 1505) to correct a mistake.

In subsection (b)(2), before clause (A), the words “with respect to the use of a product or service in a project” are omitted as surplus. In clause (B), the words “or service” are added for clarity and consistency in this section. In clause (C), the words “overall” and “contract” are omitted as surplus.

In subsection (c), the words “the date which is”, “the date on which”, “or not”, and “and equitable” are omitted as surplus.

In subsection (d)(1), the words “finds under subsection (c) of this section is denying fair market opportunities” are substituted for “with respect to which an affirmative determination is made under subsection (b)” for clarity.

In subsection (d)(2)(A), the word “entire” is omitted as surplus.

PUB. L. 104-287, §5(89)

This makes a clarifying amendment to 49:50101(a) and (b)(3), 50102, 50104(b)(1), and 50105, as redesignated by clause (88)(D) of this section, because 49:47106(d) was struck by section 108(1) of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103-305, 108 Stat. 1573).

AMENDMENTS

1996—Pub. L. 104-287, §5(88)(D), renumbered section 49104 of this title as this section.

Subsec. (b)(1). Pub. L. 104-287, §5(89), substituted “section 47127” for “sections 47106(d) and 47127”.

§ 50105. Fraudulent use of “Made in America” label

If the Secretary of Transportation decides that a person intentionally affixed a “Made in America” label to goods sold in or shipped to the United States that are not made in the United States, the Secretary shall declare the person ineligible, for not less than 3 nor more than 5 years, to receive a contract or grant from the United States Government related to a contract made under section 106(k), 44502(a)(2), or 44509, subchapter I of chapter 471 (except section 47127), or chapter 481 (except sections 48102(e), 48106, 48107, and 48110) of this title or subtitle B of title IX of the Omnibus Budget Reconciliation Act of 1990 (Public Law 101-508, 104 Stat. 1388-353). The Secretary may bring a civil action to enforce this section in any district court of the United States.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1300, §49105; renumbered §50105 and amended Pub. L. 104-287, §5(88)(D), (89), Oct. 11, 1996, 110 Stat. 3398.)

HISTORICAL AND REVISION NOTES PUB. L. 103-272

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
49105	49 App.:2226b.	Nov. 5, 1990, Pub. L. 101-508, §9130, 104 Stat. 1388-372; Oct. 31, 1992, Pub. L. 102-581, §118(a), 106 Stat. 4883.

PUB. L. 104-287, §5(89)

This makes a clarifying amendment to 49:50101(a) and (b)(3), 50102, 50104(b)(1), and 50105, as redesignated by clause (88)(D) of this section, because 49:47106(d) was struck by section 108(1) of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103-305, 108 Stat. 1573).

REFERENCES IN TEXT

Subtitle B of title IX of the Omnibus Budget Reconciliation Act of 1990, referred to in text, is subtitle B (§§9101-9131) of title IX of Pub. L. 101-508, Nov. 5, 1990, 104 Stat. 1388-353, as amended, known as the Aviation Safety and Capacity Expansion Act of 1990. Sections 9102 to 9105, 9107 to 9112(b), 9113 to 9115, 9118, 9121 to 9123, 9124 “Sec. 613(c)”, 9125, 9127, and 9129 to 9131 of title IX of Pub. L. 101-508 were repealed by Pub. L. 103-272, §7(b), July 5, 1994, 108 Stat. 1379, the first section of which enacted subtitles II, III, and V to X of Title 49, Transportation. For complete classification of this Act to the Code, see Tables. For disposition of sections of former Title 49, Transportation, see table at the beginning of Title 49.

AMENDMENTS

1996—Pub. L. 104-287, §5(89), substituted “section 47127” for “sections 47106(d) and 47127”.

Pub. L. 104-287, §5(88)(D), renumbered section 49105 of this title as this section.

SUBTITLE VIII—PIPELINES

Chapter		Sec.
601.	Safety	60101
603.	User Fees	60301
605.	Interstate Commerce Regulation	60501

CHAPTER 601—SAFETY

Sec.	
60101.	Definitions.
60102.	Purpose and general authority.
60103.	Standards for liquefied natural gas pipeline facilities.
60104.	Requirements and limitations.
60105.	State pipeline safety program certifications.
60106.	State pipeline safety agreements.
60107.	State pipeline safety grants.
60108.	Inspection and maintenance.
60109.	High-density population areas and environmentally sensitive areas.
60110.	Excess flow valves.
60111.	Financial responsibility for liquefied natural gas facilities.
60112.	Pipeline facilities hazardous to life and property.
60113.	Customer-owned natural gas service lines.
60114.	One-call notification systems.
60115.	Technical safety standards committees.
60116.	Public education programs.
60117.	Administrative.
60118.	Compliance and waivers.
60119.	Judicial review.
60120.	Enforcement.
60121.	Actions by private persons.
60122.	Civil penalties.
60123.	Criminal penalties.
60124.	Biennial reports.
60125.	Authorization of appropriations.
60126.	Risk management.
60127.	Population encroachment and rights-of-way.
60128.	Dumping within pipeline rights-of-way.
60129.	Protection of employees providing pipeline safety information.
60130.	Pipeline safety information grants to communities.
60131.	Verification of pipeline qualification programs.
60132.	National pipeline mapping system.
60133.	Coordination of environmental reviews.
60134.	State damage prevention programs.
60135.	Enforcement transparency.
60136.	Petroleum product transportation capacity study.
60137.	Pipeline control room management.

AMENDMENTS

2006—Pub. L. 109-468, §§2(b)(3), 6(b), 8(b), 12(b), Dec. 29, 2006, 120 Stat. 3489, 3491, 3492, 3495, added items 60134 to 60137.

2002—Pub. L. 107-355, §§6(c), 9(c), 11(b), 13(a)(2), 15(b), 16(b), 20(a)(2)(B), Dec. 17, 2002, 116 Stat. 2993, 2995, 2997, 3001, 3006, 3008, 3010, substituted “Purpose and general authority” for “General authority” in item 60102 and “Population encroachment and rights-of-way” for “Population encroachment” in item 60127 and added items 60129 to 60133.

1996—Pub. L. 104-304, §§5(f)[(b)], 15(c)[(b)], 16(b), 18(b)(2), 20(e), Oct. 12, 1996, 110 Stat. 3800, 3803, 3804, substituted “State pipeline safety program certifications” for “State certifications” in item 60105, “State pipeline safety agreements” for “State agreements” in item 60106, “State pipeline safety grants” for “State grants” in item 60107, and “Biennial reports” for “Annual reports” in item 60124 and added items 60126, 60127, and 60128.

§ 60101. Definitions

(a) GENERAL.—In this chapter—

(1) “existing liquefied natural gas facility”—

(A) means a liquefied natural gas facility for which an application to approve the site, construction, or operation of the facility was filed before March 1, 1978, with—

(i) the Federal Energy Regulatory Commission (or any predecessor); or

(ii) the appropriate State or local authority, if the facility is not subject to the jurisdiction of the Commission under the Natural Gas Act (15 U.S.C. 717 et seq.); but

(B) does not include a facility on which construction is begun after November 29, 1979, without the approval;

(2) “gas” means natural gas, flammable gas, or toxic or corrosive gas;

(3) “gas pipeline facility” includes a pipeline, a right of way, a facility, a building, or equipment used in transporting gas or treating gas during its transportation;

(4) “hazardous liquid” means—

(A) petroleum or a petroleum product; and

(B) a substance the Secretary of Transportation decides may pose an unreasonable risk to life or property when transported by a hazardous liquid pipeline facility in a liquid state (except for liquefied natural gas);

(5) “hazardous liquid pipeline facility” includes a pipeline, a right of way, a facility, a building, or equipment used or intended to be used in transporting hazardous liquid;

(6) “interstate gas pipeline facility” means a gas pipeline facility—

(A) used to transport gas; and

(B) subject to the jurisdiction of the Commission under the Natural Gas Act (15 U.S.C. 717 et seq.);

(7) “interstate hazardous liquid pipeline facility” means a hazardous liquid pipeline facility used to transport hazardous liquid in interstate or foreign commerce;

(8) “interstate or foreign commerce”—

(A) related to gas, means commerce—

(i) between a place in a State and a place outside that State; or

(ii) that affects any commerce described in subclause (A)(i) of this clause; and

(B) related to hazardous liquid, means commerce between—

(i) a place in a State and a place outside that State; or

(ii) places in the same State through a place outside the State;

(9) “intrastate gas pipeline facility” means a gas pipeline facility and transportation of gas within a State not subject to the jurisdiction of the Commission under the Natural Gas Act (15 U.S.C. 717 et seq.);

(10) “intrastate hazardous liquid pipeline facility” means a hazardous liquid pipeline facility that is not an interstate hazardous liquid pipeline facility;

(11) “liquefied natural gas” means natural gas in a liquid or semisolid state;

(12) “liquefied natural gas accident” means a release, burning, or explosion of liquefied nat-